

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Marcella Fox,

Plaintiff

Case No. 2:24-cv-00047-CDS-NJK

Order Denying as Moot Defendants' Motion to Dismiss and Denying as Moot Plaintiff's Pending Motions

Ryan Kovacs, et al.,

Defendants

[ECF Nos. 12, 40, 41, 50]

10 Plaintiff Marcella Fox filed an amended complaint (ECF No. 66), which has the effect of
11 superseding the original complaint in its entirety. *Hal Roach Studios, Inc. v. Richard Feiner & Co.*, 896
12 F.2d 1542, 1546 (9th Cir. 1990); *see also Ramirez v. Cnty of San Bernardino*, 806 F.3d 1002, 1008 (9th
13 Cir. 2015). For this reason, defendants Ryan Kovacs, Le Croque Mitaine LLC, and Orange Realty
14 Group LLC's motion to dismiss targeting the original complaint [ECF No. 12] is denied as
15 moot. “Because the Defendants’ motion to dismiss targeted the Plaintiff’s . . . Complaint, which
16 was no longer in effect, we conclude that the motion to dismiss should have been deemed
17 moot[.]”). *Ramirez*, 806 F.3d at 1008. Further, because the motion to dismiss is moot, Fox’s
18 requests for the court to issue a ruling on defendants’ motion to dismiss [ECF Nos. 40, 41] and
19 request for rulings on pending motions [ECF No. 50] are denied as moot.

Dated: January 24, 2025

Cristina D. Silva
United States District Judge